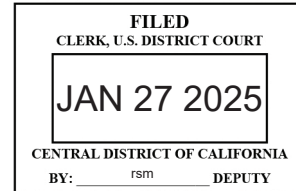


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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR HUGO RAMIREZ,

Defendant.

No. CR **2:25-CR-00058-MWC**

PLEA AGREEMENT FOR DEFENDANT
VICTOR HUGO RAMIREZ

1. This constitutes the plea agreement between VICTOR HUGO RAMIREZ ("defendant") and the United States Attorney's Office for the Central District of California (the "USAO") in the investigation of defendant's illegal re-entry into the United States. This agreement is limited to the USAO and cannot bind any other federal, state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities.

DEFENDANT'S OBLIGATIONS

2. Defendant agrees to:

a. Give up the right to indictment by a grand jury and, at the earliest opportunity requested by the USAO and provided by the

A handwritten signature in cursive, appearing to be "JP".

1/15/25

1 Court, appear and plead guilty to the single-count information in the
2 form attached to this agreement as Exhibit A or a substantially
3 similar form, which charges defendant with Illegal Alien Found in the
4 United States Following Deportation, in violation of 8 U.S.C. §§
5 1326(a), (b)(2).

6 b. Not contest facts agreed to in this agreement.

7 c. Abide by all agreements regarding sentencing contained
8 in this agreement.

9 d. Appear for all court appearances, surrender as ordered
10 for service of sentence, obey all conditions of any bond, and obey
11 any other ongoing court order in this matter.

12 e. Not commit any crime; however, offenses that would be
13 excluded for sentencing purposes under United States Sentencing
14 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not
15 within the scope of this agreement.

16 f. Be truthful at all times with the United States
17 Probation and Pretrial Services Office and the Court.

18 g. Pay the applicable special assessment at or before the
19 time of sentencing unless defendant has demonstrated a lack of
20 ability to pay such assessments.

21 h. At the earliest opportunity requested by the USAO and
22 provided by the Court, admit allegations 1, 2, and 3 charged in the
23 Petition on Probation and Supervised Release dated December 12, 2014,
24 filed in United States v. Victor Hugo Ramirez, Case No. 2:11-cr-1017-
25 CAS (C.D. Cal.).

26 THE USAO'S OBLIGATIONS

27 3. The USAO agrees to:

28 a. Not contest facts agreed to in this agreement.

1 b. At the time of sentencing on the Petition on Probation
2 and Supervised Release in United States v. Victor Hugo Ramirez, Case
3 No. 2:11-cr-1017-CAS, recommend a concurrent sentence in connection
4 with defendant's violations of the terms of supervised release as
5 alleged in the Petition on Probation and Supervised Release.

6 Defendant understands and agrees that the USAO's sentencing
7 recommendation in connection with defendant's supervised release
8 proceeding is not governed by Federal Rule of Criminal Procedure
9 11(c)(1)(C) and is not binding on the court. Defendant also
10 understands and agrees that defendant will not be relieved of his
11 obligations under this agreement or provided an opportunity to
12 withdraw his plea of guilty if the Court imposes a sentence in
13 connection with defendant's supervised release proceeding other than
14 the sentence recommended by the USAO.

15 c. Abide by all agreements regarding sentencing contained
16 in this agreement.

17 d. At the time of sentencing on the sole count of the
18 information, provided that defendant demonstrates an acceptance of
19 responsibility for the offense up to and including the time of
20 sentencing, recommend a two-level reduction in the applicable
21 Sentencing Guidelines offense level, pursuant to U.S.S.G. § 3E1.1.

22 e. At the time of sentencing on the sole count of the
23 information, recommend that defendant be sentenced to a term of
24 imprisonment no higher than the low end of the applicable Sentencing
25 Guidelines range, provided that the offense level used by the Court
26 to determine that range is 12 or higher. For purposes of this
27 agreement, the low end of the Sentencing Guidelines range is that
28 defined by the Sentencing Table in U.S.S.G. Chapter 5, Part A.

NATURE OF THE OFFENSE

4. Defendant understands that for defendant to be guilty of the crime charged in the single-count information, a violation of 8 U.S.C. § 1326(a), the following must be true: (1) defendant was lawfully deported or removed from the United States; (2) after defendant's deportation or removal, defendant voluntarily entered the United States; (3) after defendant entered the United States, defendant knew that defendant was in the United States and knowingly remained; (4) defendant was found in the United States without having obtained consent to reapply for admission into the United States from the Attorney General or the Secretary of the Department of Homeland Security, or any authorized representative of either official; (5) defendant was, at the time of the offense, an alien, that is, a person who is not a natural-born or naturalized citizen, or a national, of the United States; and (6) defendant was free from official restraint at the time he or she entered the United States. Defendant was free from official restraint if defendant was first observed by a United States officer after defendant physically crossed the border of the United States.

5. Defendant understands that for defendant to be subject to the heightened statutory maximum penalties under 8 U.S.C. § 1326(b) (2), defendant's deportations or removals must have occurred after defendant was convicted of an aggravated felony, that is, the felony described in paragraph 11 below.

PENALTIES

6. The statutory maximum sentence that the Court can impose for a violation of Title 8, United States Code, Section 1326(a), where the heightened statutory maximum penalties under 8 U.S.C.

1 § 1326(b) (2) apply, is: 20 years' imprisonment; a three-year period
2 of supervised release; a fine of \$250,000; and a mandatory special
3 assessment of \$100.

4 7. Defendant understands that supervised release is a period
5 of time following imprisonment during which defendant will be subject
6 to various restrictions and requirements. Defendant understands that
7 if defendant violates one or more of the conditions of any supervised
8 release imposed, defendant may be returned to prison for all or part
9 of the term of supervised release authorized by statute for the
10 offense that resulted in the term of supervised release, which could
11 result in defendant serving a total term of imprisonment greater than
12 the statutory maximum stated above.

13 8. Defendant understands that the conviction in this case may
14 result in defendant giving up valuable government benefits and civic
15 rights and may also subject defendant to various other collateral
16 consequences, including but not limited to revocation of probation,
17 parole, or supervised release in another case and suspension or
18 revocation of a professional license. Defendant understands that
19 unanticipated collateral consequences will not serve as grounds to
20 withdraw defendant's guilty plea.

21 9. Defendant and his counsel have discussed the fact that, and
22 defendant understands that, if defendant is not a United States
23 citizen, the conviction in this case makes it practically inevitable
24 and a virtual certainty that defendant will be removed or deported
25 from the United States. Defendant may also be denied United States
26 citizenship and admission to the United States in the future.
27 Defendant understands that while there may be arguments that
28 defendant can raise in immigration proceedings to avoid or delay

1 removal, removal is presumptively mandatory and a virtual certainty
2 in this case. Defendant further understands that removal and
3 immigration consequences are the subject of a separate proceeding and
4 that no one, including his attorney or the Court, can predict to an
5 absolute certainty the effect of his conviction on his immigration
6 status. Defendant nevertheless affirms that he wants to plead guilty
7 regardless of any immigration consequences that his plea may entail,
8 even if the consequence is automatic removal from the United States.

9 FACTUAL BASIS

10 Defendant admits that defendant is, in fact, guilty of violating
11 8 U.S.C. § 1326(a) as described in the information and that he is
12 subject to the heightened statutory maximum penalties under 8
13 U.S.C. § 1326(b) (2) as set forth above. Defendant and the USAO agree
14 to the statement of facts provided below and agree that this
15 statement of facts is sufficient to support a plea of guilty to the
16 charge described in this agreement and to establish the Sentencing
17 Guidelines factors set forth in paragraph 13 below but is not meant
18 to be a complete recitation of all facts relevant to the underlying
19 criminal conduct or all facts known to either party that relate to
20 that conduct.

21 Defendant, a citizen of Mexico, was at all times relevant to
22 this plea agreement an alien, that is, not a natural-born or
23 naturalized citizen, or national, of the United States. On or about
24 December 28, 2012, defendant was lawfully deported or removed from
25 the United States. Defendant was also lawfully deported or removed
26 from the United States on or about November 29, 1994, and May 14,
27 2007. Subsequent to defendant's December 28, 2012 deportation or
28 removal, and prior to October 7, 2024, defendant knowingly and

1 voluntarily re-entered and thereafter remained in the United States.
2 Defendant did so without the consent of the Attorney General or his
3 designated successor, the Secretary of the Department of Homeland
4 Security, or of any authorized representative of either the Attorney
5 General or that Department, to reapply for admission or to otherwise
6 re-enter and remain in the United States. After defendant re-entered
7 and remained in the United States, on or about October 7, 2024, law
8 enforcement found defendant in Los Angeles County, within the Central
9 District of California. Defendant was found by law enforcement
10 authorities after he had physically crossed the border of the United
11 States.

12 Prior to defendant's first deportation or removal, on or about
13 June 30, 1994, defendant was convicted of Possession of Cocaine Base
14 for Sale, an aggravated felony, in violation of California Health &
15 Safety Code Section 11351.5 in California Superior Court, Los Angeles
16 County, Case Number BA090504.

17 After defendant's first deportation or removal, on or about
18 September 6, 2012, defendant was convicted of Conspiracy to Transfer
19 False Identification Documents, a felony, in violation of 18 U.S.C. §
20 1028(f), in the United States District Court for the Central District
21 of California, Case Number 2:11-cr-01017-CAS, for which defendant was
22 sentenced to 15 months' imprisonment.

23 SENTENCING FACTORS

24 10. Defendant understands that in determining defendant's
25 sentence the Court is required to calculate the applicable Sentencing
26 Guidelines range and to consider that range, possible departures
27 under the Sentencing Guidelines, and the other sentencing factors set
28 forth in 18 U.S.C. § 3553(a). Defendant understands that the

1 Sentencing Guidelines are advisory only, that defendant cannot have
2 any expectation of receiving a sentence within the calculated
3 Sentencing Guidelines range, and that after considering the
4 Sentencing Guidelines and the other § 3553(a) factors, the Court will
5 be free to exercise its discretion to impose any sentence it finds
6 appropriate up to the maximum set by statute for the crime of
7 conviction.

8 11. Defendant and the USAO agree to the following applicable
9 Sentencing Guidelines factors:

10 Base Offense Level:	8	U.S.S.G. § 2L1.2(a)
11		
12 Felony Conviction After		
13 Deportation and Sentence		
Imposed More than One Year		
and One Month	+6	U.S.S.G. § 2L1.2(b)(3)(C)
14		

15 Defendant and the USAO reserve the right to argue that additional
16 specific offense characteristics, adjustments, and departures under
17 the Sentencing Guidelines are appropriate.

18 12. Defendant understands that there is no agreement as to
19 defendant's criminal history or criminal history category.

20 13. Defendant and the USAO reserve the right to argue for a
21 sentence outside the sentencing range established by the Sentencing
22 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a)(1),
23 (a)(2), (a)(3), (a)(6), and (a)(7).

24 WAIVER OF CONSTITUTIONAL RIGHTS

25 14. Defendant understands that by pleading guilty, defendant
26 gives up the following rights:

- 27 a. The right to persist in a plea of not guilty.
- 28 b. The right to a speedy and public trial by jury.

1 c. The right to be represented by counsel -- and if
2 necessary have the Court appoint counsel -- at trial. Defendant
3 understands, however, that, defendant retains the right to be
4 represented by counsel -- and if necessary have the Court appoint
5 counsel -- at every other stage of the proceeding.

6 d. The right to be presumed innocent and to have the
7 burden of proof placed on the government to prove defendant guilty
8 beyond a reasonable doubt.

9 e. The right to confront and cross-examine witnesses
10 against defendant.

11 f. The right to testify and to present evidence in
12 opposition to the charges, including the right to compel the
13 attendance of witnesses to testify.

14 g. The right not to be compelled to testify, and, if
15 defendant chose not to testify or present evidence, to have that
16 choice not be used against defendant.

17 h. Any and all rights to pursue any affirmative defenses,
18 Fourth Amendment or Fifth Amendment claims, and other pretrial
19 motions that have been filed or could be filed.

20 WAIVER OF APPEAL OF CONVICTION

21 15. Defendant understands that, with the exception of an appeal
22 based on a claim that defendant's guilty plea was involuntary, by
23 pleading guilty defendant is waiving and giving up any right to
24 appeal defendant's conviction on the offense to which defendant is
25 pleading guilty. Defendant understands that this waiver includes,
26 but is not limited to, arguments that the statute to which defendant
27 is pleading guilty is unconstitutional, and any and all claims that
28

1 the statement of facts provided herein is insufficient to support
2 defendant's plea of guilty.

3 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

4 16. Defendant agrees that, provided the Court imposes a total
5 term of imprisonment within or below the range corresponding to an
6 offense level of 12 and the criminal history category calculated by
7 the Court, defendant gives up the right to appeal all of the
8 following: (a) the procedures and calculations used to determine and
9 impose any portion of the sentence; (b) the term of imprisonment
10 imposed by the Court; (c) the fine imposed by the Court, provided it
11 is within the statutory maximum; (d) to the extent permitted by law,
12 the constitutionality or legality of defendant's sentence, provided
13 it is within the statutory maximum; (e) the term of probation or
14 supervised release imposed by the Court, provided it is within the
15 statutory maximum; and (f) any of the following conditions of
16 probation or supervised release imposed by the Court: the conditions
17 set forth in Second Amended General Order 20-04 of this Court; the
18 drug testing conditions mandated by 18 U.S.C. §§ 3563(a)(5) and
19 3583(d); and the alcohol and drug use conditions authorized by 18
20 U.S.C. § 3563(b)(7); and any conditions of probation or supervised
21 release agreed to by defendant in paragraph 2 above.

22 17. The USAO agrees that, provided (a) all portions of the
23 sentence are at or below the statutory maximum specified above and
24 (b) the Court imposes a term of imprisonment within or above the
25 range corresponding to an offense level of 12 and the criminal
26 history category calculated by the Court, the USAO gives up its right
27 to appeal any portion of the sentence.

1 WAIVER OF COLLATERAL ATTACK

2 Defendant also gives up any right to bring a postconviction
3 collateral attack on the conviction or sentence, except a post-
4 conviction collateral attack based on a claim of ineffective
5 assistance of counsel, a claim of newly discovered evidence, or an
6 explicitly retroactive change in the applicable Sentencing
7 Guidelines, sentencing statutes, or statutes of conviction.
8 Defendant understands that this waiver includes, but is not limited
9 to, arguments that the statute to which defendant is pleading guilty
10 is unconstitutional, and any and all claims that the statement of
11 facts provided herein is insufficient to support defendant's plea of
12 guilty.

13 RESULT OF WITHDRAWAL OF GUILTY PLEA

14 18. Defendant agrees that if, after entering a guilty plea
15 pursuant to this agreement, defendant seeks to withdraw and succeeds
16 in withdrawing defendant's guilty plea on any basis other than a
17 claim and finding that entry into this plea agreement was
18 involuntary, then the USAO will be relieved of all of its obligations
19 under this agreement.

20 EFFECTIVE DATE OF AGREEMENT

21 19. This agreement is effective upon signature and execution of
22 all required certifications by defendant, defendant's counsel, and an
23 Assistant United States Attorney.

24 BREACH OF AGREEMENT

25 20. Defendant agrees that if defendant, at any time after the
26 signature of this agreement and execution of all required
27 certifications by defendant, defendant's counsel, and an Assistant
28 United States Attorney, knowingly violates or fails to perform any of

1 defendant's obligations under this agreement ("a breach"), the USAO
2 may declare this agreement breached. All of defendant's obligations
3 are material, a single breach of this agreement is sufficient for the
4 USAO to declare a breach, and defendant shall not be deemed to have
5 cured a breach without the express agreement of the USAO in writing.
6 If the USAO declares this agreement breached, and the Court finds
7 such a breach to have occurred, then: (a) if defendant has previously
8 entered a guilty plea pursuant to this agreement, defendant will not
9 be able to withdraw the guilty plea, and (b) the USAO will be
10 relieved of all its obligations under this agreement.

11 21. Following the Court's finding of a knowing breach of this
12 agreement by defendant, should the USAO choose to pursue any charge
13 that was either dismissed or not filed as a result of this agreement,
14 then:

15 a. Defendant agrees that any applicable statute of
16 limitations is tolled between the date of defendant's signing of this
17 agreement and the filing commencing any such action.

18 b. Defendant waives and gives up all defenses based on
19 the statute of limitations, any claim of pre-indictment delay, or any
20 speedy trial claim with respect to any such action, except to the
21 extent that such defenses existed as of the date of defendant's
22 signing this agreement.

23 c. Defendant agrees that: (i) any statements made by
24 defendant, under oath, at the guilty plea hearing (if such a hearing
25 occurred prior to the breach); (ii) the agreed to factual basis
26 statement in this agreement; and (iii) any evidence derived from such
27 statements, shall be admissible against defendant in any such action
28 against defendant, and defendant waives and gives up any claim under

1 the United States Constitution, any statute, Rule 410 of the Federal
2 Rules of Evidence, Rule 11(f) of the Federal Rules of Criminal
3 Procedure, or any other federal rule, that the statements or any
4 evidence derived from the statements should be suppressed or are
5 inadmissible.

6 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

7 OFFICE NOT PARTIES

8 22. Defendant understands that the Court and the United States
9 Probation and Pretrial Services Office are not parties to this
10 agreement and need not accept any of the USAO's sentencing
11 recommendations or the parties' agreements to facts or sentencing
12 factors.

13 23. Defendant understands that both defendant and the USAO are
14 free to: (a) supplement the facts by supplying relevant information
15 to the United States Probation and Pretrial Services Office and the
16 Court, (b) correct any and all factual misstatements relating to the
17 Court's Sentencing Guidelines calculations and determination of
18 sentence, and (c) argue on appeal and collateral review that the
19 Court's Sentencing Guidelines calculations and the sentence it
20 chooses to impose are not error, although each party agrees to
21 maintain its view that the calculations in paragraph 11 are
22 consistent with the facts of this case. While this paragraph permits
23 both the USAO and defendant to submit full and complete factual
24 information to the United States Probation and Pretrial Services
25 Office and the Court, even if that factual information may be viewed
26 as inconsistent with the facts agreed to in this agreement, this
27 paragraph does not affect defendant's and the USAO's obligations not
28 to contest the facts agreed to in this agreement.

1 24. Defendant understands that even if the Court ignores any
2 sentencing recommendation, finds facts or reaches conclusions
3 different from those agreed to, and/or imposes any sentence up to the
4 maximum established by statute, defendant cannot, for that reason,
5 withdraw defendant's guilty plea, and defendant will remain bound to
6 fulfill all defendant's obligations under this agreement. Defendant
7 understands that no one -- not the prosecutor, defendant's attorney,
8 or the Court -- can make a binding prediction or promise regarding
9 the sentence defendant will receive, except that it will be within
10 the statutory maximum.

11 NO ADDITIONAL AGREEMENTS

12 25. Defendant understands that, except as set forth herein,
13 there are no promises, understandings, or agreements between the USAO
14 and defendant or defendant's attorney, and that no additional
15 promise, understanding, or agreement may be entered into unless in a
16 writing signed by all parties or on the record in court.

17 //

18 //

PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

26. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE
FOR THE CENTRAL DISTRICT OF
CALIFORNIA

~~E. MARTIN ESTRADA~~ JOSEPH T. McNALLY
~~United States Attorney~~ ACTING UNITED STATES ATTORNEY

MATT COE-ODESS
Assistant United States Attorney

Date

1/22/25

VICTOR HUGO RAMIREZ
Defendant

Date

1/22/25


CURT V. LEFTWICH
Attorney for Defendant VICTOR HUGO
RAMIREZ

Date

1/22/25

CERTIFICATION OF DEFENDANT

I have read this agreement in its entirety. This agreement has been read to me in Spanish, the language I understand best. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charge and wish to take advantage of the promises set forth in this agreement, and not for any other reason.



VICTOR HUGO RAMIREZ
Defendant

1/22/25

Date

CERTIFICATION OF INTERPRETER

I, Kathleen Caulfield, am fluent in the written and spoken English and Spanish languages. I accurately translated this entire agreement from English into Spanish to defendant VICTOR HUGO RAMIREZ on this date.

Kathleen Caulfield
INTERPRETER

1-22-25
Date

CERTIFICATION OF DEFENDANT'S ATTORNEY

I am VICTOR HUGO RAMIREZ's attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. To my knowledge: no promises, inducements, or representations of any kind have been made to my client other than those contained in this agreement; no one has threatened or forced my client in any way to enter into this agreement; my client's decision to enter into this agreement is an informed and voluntary one; and the factual basis set forth in this agreement is sufficient to support my client's entry of a guilty plea pursuant to this agreement.

Curt V. Leftwich
CURT V. LEFTWICH
Attorney for Defendant VICTOR HUGO
RAMIREZ

1/22/25
Date

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VICTOR HUGO RAMIREZ,

Defendant.

CR No.

I N F O R M A T I O N

[8 U.S.C. §§ 1326(a), (b)(1),
(b)(2): Illegal Alien Found in
the United States Following
Deportation]

The United States Attorney charges:

[8 U.S.C. §§ 1326(a), (b)(1), (b)(2)]

On or about October 7, 2024, defendant VICTOR HUGO RAMIREZ, an alien, who had been officially deported and removed from the United States on or about November 29, 1994, May 14, 2007, and December 28, 2012, was found in Los Angeles County, within the Central District of California, after knowingly and voluntarily re-entering and remaining in the United States without having obtained permission from the Attorney General or his designated successor, the Secretary of Homeland Security, to reapply for admission to the United States

1 following deportation and removal.

2 At least one of defendant RAMIREZ's previously alleged
3 deportations and removals from the United States occurred subsequent
4 to defendant RAMIREZ's conviction for one or more of the following
5 felonies and aggravated felonies: (1) Possession of Cocaine Base for
6 Sale, in violation of California Health & Safety Code Section
7 11351.5, on or about June 30, 1994, in California Superior Court, Los
8 Angeles County, Case Number BA090504, and (2) Conspiracy to Transfer
9 False Identification Documents, in violation of 18 U.S.C. § 1028(f),
10 on or about September 6, 2012, in the United States District Court
11 for the Central District of California, Case Number 2:11-cr-01017-
12 CAS.

13
14 E. MARTIN ESTRADA
United States Attorney

15
16 LINDSEY GREER DOTSON
Assistant United States Attorney
17 Chief, Criminal Division

18
19
20 FRANCES E. LEWIS
Assistant United States Attorney
21 Chief, General Crimes Section

22 JASON PANG
Assistant United States Attorney
23 Deputy Chief, General Crimes
Section

24 MATT COE-ODESS
Assistant United States Attorney
25 General Crimes Section
26
27
28